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IN THE

Supreme Court of the United States

October Term, 1953

No. 10, Original

STATE OF ARIZONA

Complainant

v.

STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT, IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY COUNTY WATER DISTRICT, METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES, CALIFORNIA, CITY OF SAN DIEGO, CALIFORNIA, AND COUNTY OF SAN DIEGO, CALIFORNIA.

Defendants

UNITED STATES OF AMERICA, INTERVENER.

JOHN H. MOEUR
Chief Counsel,
Arizona Interstate Stream Commission
BURR SUTTER
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ROSS F. JONES
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RESPONSE OF ARIZONA TO MEMORANDUM OF UNITED STATES OF AMERICA REQUESTING PRE-TRIAL CONFERENCE.

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UNITED STATES OF AMERICA, INTERVENER.

RESPONSE OF ARIZONA TO MEMORANDUM OF UNITED STATES OF AMERICA REQUESTING PRE-TRIAL CONFERENCE.

In response to the memorandum requesting pre-trial conference, filed herein by the United States of America, Intervener, the State of Arizona, Complainant herein, submits the following:

I.

All the parties to this litigation have recognized that an early determination of the controversy involved is necessary before the full development of the Colorado River can be made and that such development is desirable and essential to the nation as a whole and particularly to the Southwest.

II.

All the parties to the controversy have for many years likewise recognized that there are certain fundamental legal questions relating to the rights of the respective parties which must be adjudicated. The parties, including the defendants, have also recognized at all times that if these basic legal questions were determined, all related questions would be greatly simplified. In many hearings held before congressional committees wherein these legal questions were discussed, the defendants on numerous occasions expressed the opinion that the adjudication of these legal questions would resolve the controversy, that such adjudication could be determined within a comparatively short space of time, and further pledged themselves to exert every effort to this end.[1]

III.

Careful control of the litigation from the outset by this Court for the purpose of simplifying, clarifying and appropriately resolving in advance the issues of law involved, and otherwise regulating the proceedings, will assure that the controversy will be handled in as orderly and expeditious a fashion as is possible and will eliminate unnecessary volume, delay, and expense. A pre-trial conference, or a series of pre-trial conferences, presided over by a member of this Court, with counsel for all parties, can best accomplish this end. Arizona is, therefore, in full accord with the request of the United States of America, Intervener, for a pre-trial conference and respectfully requests favorable consideration thereof by this Court.

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[1]Typical of such statements are:

Hearings before Subcommittee of the Committee on Interior and Insular Affairs, U. S. Senate, 80th Congress, 2nd Session, on S. J. Res. 145, pp. 35, 69, 105, 120, 497, 498; and 499.

Hearings before Subcommittee No. 4 of the Committee on Judiciary, House of Representatives, 80th Congress, 2nd Session, on H. J. Res. 225, 226, 227, 236, and H. R. 4097, pp. 5, 32, 93, and 94.

Hearings before the Committee on Interior and Insular Affairs, United States Senate, 81st Congress, 1st Session, on S. 75 and S. J. Res. 4, p. 915.

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